



Patent Application  
Serial No. 09/148,749  
Attorney Docket No. PC-3201  
Our File 3237-990857

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1742 :  
In re Application of :  
GAYLORD D. SMITH ET AL. : ADVANCED HIGH TEMPERATURE  
Serial No. 09/148,749 : CORROSION RESISTANT ALLOY  
Filed September 4, 1998 :  
Examiner - Sikyin Ip :  
Pittsburgh, Pennsylvania  
October 22, 2001

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AMENDMENT UNDER 37 C.F.R. §1.114

**BOX RCE**  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

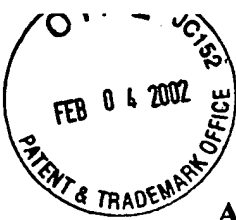
In response to the final Office Action of May 22, 2001, Applicants submit herewith a Request for Continued Examination along with the instant submission under 37 C.F.R. §1.114. A Petition for Two-Month Extension of Time is submitted herewith accompanied by the requisite fee. Please amend the above-captioned application as indicated hereinafter.

IN THE CLAIMS:

Please rewrite claims 1, 4-7, 10-13, and 16-19 as follows:

|  |                    |
|--|--------------------|
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| Diane Paull<br>(Name of Person Mailing Paper)  |                    |
| <i>Diane Paull</i><br>Signature  | 10/22/2001<br>Date |

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Attorney's Docket No. PC-3201Our File 3237-990857**AMENDMENT TRANSMITTAL LETTER**

BOX RCE

Commissioner for Patents

Washington, D.C. 20231

Serial No.: 09/148,749Filing Date: September 4, 1998Examiner: Sikyin IpGroup Art Unit: 1742Invention: "Advanced High Temperature Corrosion Resistant Alloy"

Transmitted herewith is an amendment in the above-identified application.

       Small entity status of this application under 37 CFR 1.27 has been established by a verified statement previously submitted.

       No additional fee is required.

  X   The fee has been calculated as shown below:

| No. of Claims<br>After<br><u>Amendment</u>   | Highest No.<br>Previously<br><u>Paid For</u> | <u>Present</u><br><u>Extra</u> | <u>Small</u><br><u>Entity</u><br><u>Rate</u> | <u>Non-Small</u><br><u>Entity</u><br><u>Rate</u> | <u>Charge</u>   |
|--|--|--------------------------------|--|--|-----------------|
| Total <u>14</u>                              | <u>20</u>                                    | <u>0</u> X                     | \$ 9.00                                      | X \$ 18.00                                       | \$ <u>0</u>     |
| Indep. <u>4</u>                              | <u>3</u>                                     | <u>0</u> X                     | \$ 40.00                                     | X \$ 80.00                                       | \$ <u>80.00</u> |
| First Presentation<br>of Multiple Dep. Claim |  |                                | + \$135.00                                   | + \$270.00                                       | \$ <u>0</u>     |
| Total Additional Fee                         |  |                                |  |  | \$ <u>80.00</u> |

  X   Checks in the amount of \$ 80.00 and 740.00 are enclosed to cover the filing fee.

  X   A check in the amount of \$ 290.00 is enclosed for a Petition for Extension of Time.

  X   The Commissioner is hereby authorized to charge payment of any fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.

  X   Any additional filing fees required under 37 CFR 1.16.

  X   Any patent application processing fees under 37 CFR 1.17.

October 22, 2001

Date

By

Kent E. Baldauf  
Kent E. Baldauf  
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Diane Paull

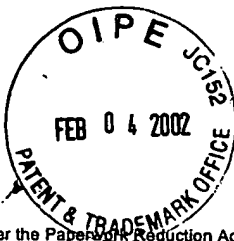
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Diane Paull10/22/2001

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Date

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/148,749        |
| Filing Date            | Sept. 4, 1998     |
| First Named Inventor   | Smith, Gaylord D. |
| Group Art Unit         | 1742              |
| Examiner Name          | Sikyin Ip         |
| Attorney Docket Number | PC-3201           |

#15

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☒ Other Petition for Two-Month Extension of Time

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 740.00; \$ 290.00 and \$ 80.00 enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                        |                                   |                  |
|-------------------|------------------------|-----------------------------------|------------------|
| Name (Print/Type) | Kent E. Baldauf        | Registration No. (Attorney/Agent) | 25,826           |
| Signature         | <i>Kent E. Baldauf</i> | Date                              | October 22, 2001 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                   |                    |      |                  |
|-------------------|--------------------|------|------------------|
| Name (Print/Type) | Diane Paull        | Date | October 22, 2001 |
| Signature         | <i>Diane Paull</i> |      |                  |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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